

Message Text

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ACTION DLOS-09

INFO OCT-01 NEA-10 IO-13 ISO-00 FEA-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02 COME-00
DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01
TRSE-00 H-01 INR-07 INT-05 JUSE-00 L-03 NSAE-00
NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-04 PRS-01
SP-02 SS-15 USIA-06 AF-10 ARA-06 EA-07 EUR-12
OIC-02 /160 W

-----040610Z 121119 /22

R 021031Z MAY 77
FM AMEMBASSY COLOMBO
TO SECSTATE WASHDC 7215
INFO USUN NEW YORK 675
AMEMBASSY BONN
USMISSION GENEVA

C O N F I D E N T I A L COLOMBO 1533

E.O. 11652: GDS
TAGS: PLOS, CE

SUBJ: MULTILATERAL AFFAIRS: LAW OF THE SEA CONFERENCE

1. EMBASSY OFFICER CALLED ON P.H. KURUKULASOORIYA, LEGAL ADVISOR, MINISTRY OF DEFENSE AND FOREIGN AFFAIRS TO DISCUSS THE UPCOMING LAW OF THE SEA CONFERENCE. KURUKULASOORIYA BELIEVES THAT THE FIRST COMMITTEE SESSION WILL BE CRUCIAL, SAYING THAT IF THAT COMMITTEE CAN REACH AGREEMENT, THE REST OF THE TREATY WILL FALL INTO PLACE. IT IS, THEREFORE, MOST IMPORTANT THAT THE FIRST COMMITTEE GET OFF TO A HEAD START AND KURUKULASOORIYA SUGGESTED THAT A POLICY STATEMENT BY PRESIDENT CARTER AT THE BEGINNING OF THE CONFERENCE SETTING FORTH US VIEWS IN A NON-RIGID, FLEXIBLE MANNER MIGHT SET THE TONE FOR POSSIBLE COMPROMISE IN THE GROUP OF 77.

2. ALTHOUGH HE IS NOT AWARE OF ANY CONCRETE MOVES TOWARD A
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COMPROMISE WITHIN THE GROUP OF 77, KURUKULASOORIYA FEELS THAT THERE IS A RECOGNITION WITHIN THE GROUP THAT SOME SORT OF INTERIM ARRANGEMENT MIGHT HAVE TO BE REACHED IN ORDER NOT TO HAVE THIS YEAR'S CONFERENCE FAIL AND POSSIBLY SET BACK EFFORTS TO REACH AGREEMENT ON THE LAW OF THE SEA. KURUKULASOORIYA OPINED THAT THERE IS A POSSIBILITY OF AN INTERIM ARRANGEMENT THAT WOULD MEET THE LEGITIMATE INTERESTS OF THE US AND OTHER

DEVELOPED COUNTRIES, BUT THAT THERE WOULD HAVE TO BE ACCEPTANCE OF THE PRINCIPLE IMPORTANT TO THE DEVELOPING NATIONS, THE BASIC CONCEPT OF THE "COMMON HERITAGE OF MANKIND" BEING INCLUDED IN THE ULTIMATE LAW OF THE SEA AGREEMENT. AN INTERIM AGREEMENT, HE SUGGESTED, WOULD HAVE TO INCLUDE A TIME LIMITATION, HE MENTIONED 25 YEARS, AND THAT IT WOULD HAVE TO INCLUDE A DEFINITE TERMINATION PROVISION AT THE END OF WHATEVER TIME LIMITATION WAS SET. A FORMULA CALLING FOR REVIEW AT THE END OF THAT PERIOD WOULD NOT SUFFICE. ANY INTERIM AGREEMENT WOULD ALSO HAVE TO INCLUDE PROVISIONS FOR PROVIDING TECHNOLOGICAL AND FINANCIAL IMPUT TO THE ENTERPRISE TO ENSURE THAT IT IS A VIABLE ENTITY AT THE TIME THE INTERIM AGREEMENT TERMINATES.

3. KURUKULASOORIYA IS CAUTIOUSLY OPTIMISTIC THAT A COMPROMISE CAN BE REACHED. IN THE DISCUSSION, HE REFERRED TO THE INVESTMENT US AND OTHER PRIVATE CORPORATIONS HAVE MADE IN DEEP SEA TECHNOLOGY AND SAID THAT THAT INVESTMENT WOULD OF COURSE HAVE TO BE REPAID, POSSIBLY INDICATING ROOM FOR COMPROMISE ON A TIME LIMIT FOR AN INTERIM AGREEMENT. HE SEEMED FLEXIBLE ON THE TIME LIMIT, BUT WAS ABSOLUTELY RIGID ON A TERMINATION PROVISION. WHILE HE WOULD EXPECT SOME RESISTANCE WITHIN THE GROUP OF 77 TO AN INTERIM AGREEMENT, KURUKULASOORIYA INDICATED THAT SRI LANKA WOULD SPEARHEAD A DRIVE FOR ACCEPTANCE IF THE RIGHT TONE OF POSSIBLE COMPROMISE WERE SET BY A HIGH-LEVEL US STATEMENT AT THE START OF THE CONFERENCE.

4. KURUKULASOORIYA WILL BE A MEMBER OF SRI LANKA'S DELEGATION TO THE LOS CONFERENCE. ALTHOUGH THE PRIME MINISTER HAS NOT YET APPROVED THE LIST OF DELEGATES, HE EXPECTS IT TO INCLUDE

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SHIRLEY AMERASINGHE, BEN FONSEKA, AND RODNEY VENDERGERT OF SRI LANKA'S UN DELEGATION, AND CHRISTOPHER PINTO, SRI LANKA'S AMBASSADOR TO GERMANY.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 02-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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